

A. The following are witnesses that the Defendants expect to call live:

1. Parties

Luke Donoghue
c/o THE WARNER LAW FIRM
Michael A. Warner
101 S.E. 11th, Suite 301
Amarillo, Texas 79101
Plaintiff

Ruth Donoghue
C/O THE WARNER LAW FIRM
Michael A. Warner
101 S.E. 11th, Suite 301
Amarillo, Texas 79101
Plaintiff

Rickey Ward
c/o Harley Caudle
CAUDLE & SCHMIDT
1017 W. 10th
Amarillo, TX 79101
Defendant

Christy Ward
c/o Harley Caudle
CAUDLE & SCHMIDT
1017 W. 10th
Amarillo, TX 79101
Defendant

John Woolsey
125 Buffalo Trail
Fritch, TX 79036
Defendant

Melinda Green
125 Buffalo Trail
Fritch, TX 79036
Defendant

Samuel Wagner
400 S. Robey
Fritch, TX 79036
Defendant

Cathy Wagner
400 S. Robey
Fritch, TX 79036
Defendant

Wiley Klete Wagner
202 N. Ridgeland
Fritch, TX 79036
Defendant

Nancy Wagner
202 N. Ridgeland
Fritch, TX 79036
Defendant

2. Experts

Mark D. White
Sprouse Shrader Smith PLLC
P. O. Box 15008
Amarillo, TX 79105-5008
(806) 468-3300

Mr. White is a non-retained witness who will testify as to the reasonableness and necessity of attorneys' fees.

Lee Ann Reno
Sprouse Shrader Smith PLLC
P. O. Box 15008
Amarillo, TX 79105-5008
(806) 468-3300

Ms. Reno is a non-retained witness who will testify as to the reasonableness and necessity of attorneys' fees.

3. Fact Witnesses

Chief Monte Leggett
Fritch Police Department
104 N. Robey
Fritch, TX 79036
Fritch Police Department Police Chief.

David Hagler

Hutchinson County Juvenile Department

1400 Veta, Suite 200

Borger, TX 79007

Knowledge of the events that occurred on December 19 and 21 including the alleged crime and prosecution of the alleged crime.

Officer Kent Griffith

Former Fritch Police Department officer involved with Plaintiffs' claim.

Officer Jeffrey Schiller

Former Fritch Police Department officer involved with Plaintiffs claim.

B. The following are witnesses that Defendants may call if the need arises:

April Jones

Hutchinson County Juvenile Department

1400 Veta, Suite 200

Borger, TX 79007

Knowledge of the events that occurred on December 19 and 21 including the alleged crime and prosecution of the alleged crime.

Kirk Coker

Hutchinson County Sheriff's Office

P.O. Box 1426

Borger, TX 79008

Previously worked for City of Fritch's police department.

Jeremy Sharp

Hutchinson County Juvenile Department

1400 Veta, Suite 200

Borger, TX 79007

Knowledge of the events that occurred on December 19 and 21 including the alleged crime and prosecution of the alleged crime.

Jennifer Hogue

Hutchinson County Juvenile Department

1400 Veta, Suite 200

Borger, TX 79007

Knowledge of the events that occurred on December 19 and 21 including the alleged crime and prosecution of the alleged crime.

John Howeth
Hutchinson County Juvenile Department
1400 Veta, Suite 200
Borger, TX 79007

Knowledge of the events that occurred on December 19 and 21 including the alleged crime and prosecution of the alleged crime.

Cyndy Fennell
Hutchinson County Juvenile Department
1400 Veta, Suite 200
Borger, TX 79007

Knowledge of the events that occurred on December 19 and 21 including the alleged crime and prosecution of the alleged crime.

Officer Juan Gonzales
Fritch Police Department
104 N. Robey
Fritch, TX 79036
Fritch Police Department officer.

Officer David A. Gayhardt
Fritch Police Department
104 N. Robey
Fritch, TX 79036
Fritch Police Department officer.

Officer Matthew S. McKinney
Fritch Police Department
104 N. Robey
Fritch, TX 79036
Fritch Police Department officer.

Officer Rodney J. Wheless
Fritch Police Department
104 N. Robey
Fritch, TX 79036
Fritch Police Department officer.

Officer Russell G. Radney
Fritch Police Department
104 N. Robey
Fritch, TX 79036
Fritch Police Department officer.

Officer Victor H. Vargas
Fritch Police Department
104 N. Robey
Fritch, TX 79036
Fritch Police Department officer.

Officer Timothy C. Chow
Fritch Police Department
104 N. Robey
Fritch, TX 79036
Fritch Police Department officer.

The various juveniles who were allegedly involved in the actions made the basis of Plaintiffs' claims.

By incorporation, Defendants further name all persons and entities identified by any party in any response to any discovery request or disclosure, or other document produced in this matter.

By incorporation, Defendants further name all persons having knowledge of relevant facts named in any and all depositions taken in connection with this lawsuit or in documents produced in discovery by any party, if not individually identified above.

As to any witness for whom an address or telephone number is not listed or contained in documents produced in discovery by any party, Defendants are currently unaware of that witness's address or telephone number. Defendants reserve the right to supplement this information once it is obtained.

The Defendants reserve the right to designate as "will-call" or "may-call" any witness identified by the Plaintiffs in their Rule 26(a)(3) disclosures. The Defendants further reserve the right to introduce additional witnesses for impeachment or rebuttal purposes.

C. Attached below and incorporated herein is a list of documents Defendants expect to offer at trial.

1. Fritch Police Department Records:

- a. Property Reports and Narrative Report written by Officer J. Gonzales;
 - b. Incident Supplement Page;
 - c. Supplemental Property Report;
 - d. Supplemental Names Report;
 - e. Incident Supplement Pages written by Officer Kent Griffith;
2. Juvenile Probation Office Documents:
 - a. Documents provided by Plaintiff Ruth Donoghue, including a photograph of Donoghue residence;
 - b. Estimate to replace damaged window written by Woody's Glass;
 - c. Ruth Donoghue's damage estimate;
 - d. Photographs of sample drawings created by Luke Donoghue; and
 - e. Ruth Donoghue's estimate of money stolen from coin jar including a photograph of the jar.
3. TCOLE Training Records:
 - a. TCOLE Training Records for David A. Gayhardt;
 - b. TCOLE Training Records for Jeffrey L. Schiller;
 - c. TCOLE Training Records for Juan M. Gonzales;
 - d. TCOLE Training Records for Kent F. Griffith;
 - e. TCOLE Training Records for Kirk A. Coker;
 - f. TCOLE Training Records for Matthew S. McKinney;
 - g. TCOLE Training Records for Rodney J. Wheless;
 - h. TCOLE Training Records for Russell G. Radney;
 - i. TCOLE Training Records for Timothy C. Chow;
 - j. TCOLE Training Records for Victor H. Vargas; and
 - k. TCOLE Training Records for Monte Leggett.

The Defendants reserve the right to introduce additional exhibits for impeachment or rebuttal purposes, or to introduce exhibits listed by Plaintiffs.

The Defendants reserve the right to use demonstrative exhibits or summaries of evidence at trial.

The documents identified above were either used in the deposition of Monte Leggett, attached to Defendants' Motion and Brief for Summary Judgment, or created by Plaintiffs. To the extent any document is not readily identifiable by Plaintiffs, Defendant will immediately, upon request, provide an additional copy to Plaintiffs.

CERTIFICATE OF SERVICE

I hereby certify that on **June 23, 2014**, I electronically filed the foregoing document with the clerk of court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. The electronic case filing system will send a “Notice of Electronic Filing” to the following attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means:

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Fritch, Texas 79036

/s/ Lee Ann Reno

Lee Ann Reno

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